

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION

98 JAN 30 PM 2:35

RICHARD ARMSTRONG,

Plaintiff,

vs.

OFFICER BRANDON LEE,  
and SERGEANT WILLIAMS,

Defendants.

CV 97-B-2723-S

U.S. DISTRICT COURT  
N.D. OF ALABAMA

ENTERED

JAN 30 1998

MEMORANDUM OF OPINION

The magistrate judge filed a report and recommendation on January 2, 1998, recommending that this action filed pursuant to 42 U.S.C. § 1983 be dismissed as frivolous under 28 U.S.C. § 1915A(b). No objections have been filed.<sup>1</sup>

Having carefully reviewed and considered *de novo* all the materials in the court file, including the report and recommendation, the Court is of the opinion that the magistrate judge's report is due to be and is hereby ADOPTED and the recommendation is ACCEPTED. Accordingly, the complaint is due to be dismissed as frivolous pursuant to 28 U.S.C. § 1915A(b). An appropriate order will be entered.

DATED this 30th day of January, 1998.

Sharon Lovelace Blackburn  
SHARON LOVELACE BLACKBURN  
UNITED STATES DISTRICT JUDGE

<sup>1</sup> Plaintiff himself filed a Motion to Dismiss on January 12, 1998.